

November 23, 2007

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Re: Waste Management of Alameda County, Inc. v. Warehouse Union Local No. 6, ILWU
Case No. C 07-03675 WHA (ENE)

Dear Counsel:

As you know from the Court's November 14, 2007 notice, I have been appointed to serve as the evaluator in this case under the Court's Early Neutral Evaluation (ENE) program. Please be sure to review carefully ADR L.R. 5 which governs the ENE program. I have attached a resume describing my professional experience.

Pursuant to ADR L.R. 5-8, I will conduct a telephone conference with all counsel before the formal evaluation session to discuss:

- The procedures to be followed
- The nature of the case
- The parties who will be present at the session and other procedural matters
- Ideas to improve the effectiveness of the ENE session or matters that could pose impediments
- Requirements for your written ENE statements
- Any questions you might have about the ENE program

I anticipate that the telephone conference will last approximately one-half hour. Currently, I plan to conduct the telephone conference next Thursday, November 29, 2007, at 9:30 a.m. If that is not convenient for you, please contact the other attorneys and agree upon a mutually convenient date and time. Before the telephone conference, ascertain from your clients and any insurers a selection of dates when the ENE session may be conducted. The deadline for conducting the session is January 15, 2008. My conflicts check revealed no actual or potential conflicts of interest under 28 U.S.C. Section 455(a) and (b), and I am not aware of any other circumstances that would either compromise my impartiality or create the appearance of impartiality. I look forward to assisting you on this case.

LAW OFFICES OF JOHN H. FELDMANN III

November 23, 2007

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Very truly yours,

John H. Feldmann III

Enclosure

cc: Ms. Alice M. Fiel – ADR Case Administrator

(by e-mail, without enclosure)